



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,316	03/22/2004	Yusuke Hashizume	016907-1650	9077
22428	7590	09/23/2008	EXAMINER	
FOLEY AND LARDNER LLP			DAHBOUR, HENRY	
SUITE 500				
3000 K STREET NW			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20007			2625	
			MAIL DATE	DELIVERY MODE
			09/23/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/805,316	HASHIZUME ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	HENRY DAHBOUR	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 25 June 2008.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-10 and 12 is/are rejected.  
 7) Claim(s) 11 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 28 June 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____.                                                         | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

### ***Claim Objections***

1. Dependent claim 11 is objected to because of the following informality. The claim, in lines 5-7, requires that the first power supply control unit stops power when the image forming apparatus is in power saving mode. However, independent claim 7, in lines 15-19, requires that the first power supply control unit stops power when the external device is in power saving mode. Thus, it is unclear which is correct.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-2, 5, 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishio (U.S.5991010) in view of Egbert et al (U.S.6735705).

Regarding claim 1, Nishio discloses an image reading apparatus for reading a document image to provide image data corresponding thereto, comprising a photoelectric conversion unit which converts an optical image on a document into an electric image signal (see 14 in Figure 1), an image processing unit which processes the image signal outputted from the photoelectric conversion unit and provides the image data (see 16 in Figure 1), a power source unit which supplies power to respective units including the photoelectric conversion unit and the image processing unit of the

image reading apparatus (see "power source of the line CCD scanner 14" in line 62 in column 24, also see "the line CCD scanner 14 and the image processing section 16 are integrated" in lines 59-61 in column 10), a power supply control unit which controls power supply from the power source unit to the photoelectric conversion unit (see "microprocessor 46 executes...control processing shown in Figs. 11A-11C" in lines 63-64 in column 24, also see "POWER-SAVING MODE" in Figures 11A-11C, and also see "power consumption of the line CCD scanner 14...is reduced" in lines 55-58 in col.26), an interface which establishes communications with an external device (see "a communication control device which communicates with other....equipment is connected via the...slot 174" in lines 10-13 in column 21, also see 174 in Figure 8).

Regarding claim 1, Nishio does not disclose that the external device (i.e. computer) notifies the image reading apparatus of a power saving mode when the external device is in a power saving mode, and the power supply control unit stops the power supply to the photoelectric conversion unit in accordance with the notification of the power saving mode received from the external device via the interface.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have these features, in the device of Nishio.

The suggestion/motivation for doing so would have been because Egbert teaches that "when a...computer invokes the green power saving mode...it would be advantageous if the CPU would also deactivate computer peripherals when the green power cycle is triggered. Further, it would be even more desirable if...computers would thereafter turn on peripherals

when CPU activity commences..." (see lines 14-15 & 23-27 in column 2 of Egbert, also see "peripherals such as scanners..." in line 53 in column 1 of Egbert).

Nishio and Egbert are analogous art because they are from the same field of endeavor, that is the art of imaging devices.

Therefore, it would have been obvious to combine Nishio with Egbert to obtain the invention specified in claim(s) 1.

Regarding claim 2, Nishio discloses when the image reading apparatus is not used for a predetermined time, the power supply control unit stops power supply to the photoelectric conversion unit (see "for a predetermined time...the power source of the line CCD scanner 14 is turned on...proceeds to the power-saving mode... power consumption of the line CCD scanner 14...is reduced" in lines 46-48, 50, 55-58 in column 26).

Regarding claim 5, Nishio discloses the photoelectric conversion unit comprises a charge coupled device CCD (see 14 in Figure 1).

Regarding claim 7, Nishio, as described above, further discloses an image forming unit which forms an image corresponding to the image data provided from the image processing unit onto a paper (see 18 in Figure 1).

Regarding claims 8-9, Nishio discloses the power supply control unit stops power supply to the photoelectric conversion unit when the image forming apparatus is in a power saving mode, wherein the power saving mode is set in a case where the image forming apparatus is not used for a predetermined time (see "for a predetermined time...the power source of the line CCD scanner 14 is turned on...proceeds to the

power-saving mode... power consumption of the line CCD scanner 14...is reduced" in lines 46-48, 50, 55-58 in column 26).

4. Claims 6, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishio (U.S.5991010) in view of Egbert et al (U.S.6735705) and Kimoto (U.S.5761575).

Regarding claim 6, Nishio does not disclose a CCD driver.

Kimoto discloses this feature (see 168 in Figure 6).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the feature of Kimoto, with the device of Nishio.

The suggestion/motivation for doing so is because Kimoto teaches that the purpose of a CCD driver is "for driving the CCD sensor" (see lines 5-6 in column 13).

Nishio and Kimoto are analogous art because they are from the same field of endeavor, that is the art of imaging devices.

Therefore, it would have been obvious to combine Nishio with Kimoto to obtain the invention specified in claim(s) 6.

Regarding claim 10, Nishio further discloses a button (see 166 in Figure 2).

Nishio does not disclose the power saving mode being set via the button.

Kimoto discloses these features (see "the power-save mode...effected by a power-saving key 159. When the power-saving key is turned on, the instructions of the power-save mode are sent to the main CPU 132 from the panel CPU 152" in lines 45-48 in column 16, also see Figure 6).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the features of Kimoto with the device of Nishio.

The suggestion/motivation for doing so is because it would allow a user to more conveniently choose a power-saving mode.

Nishio and Kimoto are analogous art because they are from the same field of endeavor, that is the art of imaging devices.

Therefore, it would have been obvious to combine Nishio with Kimoto to obtain the invention specified in claim(s) 10.

5. Claims 3, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishio (U.S.5991010) in view of Egbert et al (U.S.6735705) and Ogura et al (U.S.6961136).

Regarding claim 12, Nishio, as described above, further discloses a printer unit which forms an image corresponding to the image data provided from the image processing circuit onto a paper (see 18 in Fig.1), and a CPU which controls power supply from the power source unit to the CCD (see "microprocessor 46 executes...control processing shown in Figs. 11A-11C" in lines 63-64 in column 24, also see "POWER-SAVING MODE" in Figures 11A-11C, also see "power consumption of the line CCD scanner 14...is reduced" in lines 55-58 in column 26).

Nishio does not disclose a switch used by the CPU.

Ogura discloses this feature (see "CPU...switch" in lines 38 & 41 in column 50).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the feature of Ogura with the device of Nishio.

The suggestion/motivation for doing so would have been because Ogura teaches that this feature is suitable for use in power control (see "CPU 21 also supplies the electricity from the main power source 61 to a unit preset as the part that needs power supply, by

Art Unit: 2625

operating a relay corresponding to the unit to close a switch corresponding to the relay..." in lines 38-41 in column 50).

Nishio and Ogura are analogous art because they are from the same field of endeavor, that is the art of imaging devices.

Therefore, it would have been obvious to combine Nishio with Ogura to obtain the invention specified in claim(s) 12.

Regarding claim 3, Ogura does not disclose that the switch is a semiconductor switch.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art, to have the switch being a semiconductor switch.

The suggestion/motivation for doing would have been because substituting one type of switch for another, would still have achieved the same purpose of providing a switching capability.

Nishio and Ogura are analogous art because they are from the same field of endeavor, that is the art of imaging devices.

Therefore, it would have been obvious to combine Nishio with Ogura to obtain the invention specified in claim(s) 3.

### ***Response to Arguments***

6. Applicant's arguments with respect to independent claims 1, 7 & 12 have been considered, but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY DAHBOUR whose telephone number is (571)272-4295. The examiner can normally be reached on 9:00AM-5:30PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HD

/David K Moore/  
Supervisory Patent Examiner, Art Unit 2625